



2154
1Fu

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	10/054,771
		Filing Date	January 22, 2002
		First Named Inventor	Bruce Loring Brown, Jr.
		Art Unit	2154
		Examiner Name	Lin, Kenny S.
Total Number of Pages in This Submission	5	Attorney Docket Number	3399P074

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> PTO/SB/08		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Basic Filing Fee	Remarks	
<input type="checkbox"/> Declaration/POA		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jordan M. Becker, Reg. No. 39,602 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	November 14, 2005

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Julie Arango		
Signature		Date	November 14, 2005

Attorney Docket No.: 03399P074

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Bruce Loring Brown Jr. et al.

Serial No.: 10/054,771

Filing Date: 01/22/2002

For: ELECTRONIC MAIL RETRIEVAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner: Lin, Kenny S.

Group Art Unit: 2154

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

November 14, 2005

(Date of Deposit)

Julie Arango

(Printed name)

Julie Arango

(Signature)

11/14/05

(Date)

RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed on October 12, 2005, please reconsider the present application in view of the following remarks and the amendment filed on June 13, 2005.

In the present Office Action, the Examiner contends that newly added "[c]laims 43-84 contain separated utilities, such as 'pushing a message to a wireless client device' or 'receiving a pushed message' different from the previous examined claims" (Office Action, p. 2)(emphasis added). The Examiner therefore has withdrawn claims 43-84 from consideration, citing MPEP 806.05(d) as the basis.

Applicants respectfully traverse the present Office Action. The Examiner's action in withdrawing claims 43-84 is clearly improper, for several reasons.